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PTO/SB/21 (09-04)
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TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number

10/830,211

Filing Date

04/21/2004

First Named Inventor

FEI GE

Art Unit

2168

Examiner Name

JAY A. MORRISON

Attorney Docket Number

50277-2433

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☒

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts under 37
CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☐

After Allowance Communication
to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☒

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please
Identify below):

Return receipt postcard

Remarks

The Director is hereby authorized to charge any additional fee(s) or underpayments of
fee(s) under 37 CFR 1.16 and 1.17 to Deposit Account Number **50-1302**
Deposit Account Name: Hickman Palermo Truong & Becker LLP

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Hickman Palermo Truong & Becker LLP

Signature

Lawrence R. Goerke

Printed name

LAWRENCE R. GOERKE

Date

June 8, 2007

Reg. No.

45,927

CERTIFICATE OF TRANSMISSION/MAILING

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Trudy Bagdon

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Trudy Bagdon

Date

June 8, 2007

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

OID 2003-333-01



**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)
50277-2433

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on June 8, 2007

Signature Trudy Bagdon
Typed or printed name Trudy Bagdon

In re Application of
Fei Ge et al.

Application Number
10/830,211

Filed
04/21/2004

For **COST-BASED OPTIMIZER FOR AN XML
DATA REPOSITORY WITHIN A DATABASE**

Art Unit
2168

Examiner
Jay A. Morrison

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1302 I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

- **WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 45,927

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Lawrence R. Goerke
Signature

LAWRENCE R. GOERKE
Typed or printed name

(408) 414-1080 x238
Telephone number

06/14/2007 EAREGAY1 00000002 10630211
June 8, 2007 Date **300.00 CF**
01 FC:1401

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

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OID 2003-333-01